



Public Notice

U.S. Army Corps	Permit Application No: _____	23556
Of Engineers	Date Issued: _____	18 November 2004
Galveston District	Comments Due: _____	20 December 2004

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT: Jerry Gnazzo
404 West Cotter Avenue
Port Aransas, Texas 78373

AGENT: Shiner Moseley and Associates, Inc.
555 North Carancahua Street, Suite 1650
Corpus Christi, Texas 78478-0010
Telephone: 361-857-2211
POC: Joseph Moake

LOCATION: The project is located adjacent to Corpus Christi Bay, in the southeast portion of the residential subdivision known as the Island Moorings, in Port Aransas, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: Port Aransas, Texas. Approximate UTM Coordinates in NAD 83 (meters): Zone 14; Easting: 688500; Northing: 3076975.

PROJECT DESCRIPTION: The applicant proposes to excavate approximately 63,800 cubic yards of material from uplands to construct two basins with 100-foot-wide canals leading from the existing Island Moorings Harbor Basin into the proposed basins. The applicant proposes to construct a bulkhead around the periphery of each basin. The applicant would excavate the basins and construct the bulkheads around the basin's periphery before breaching the existing bulkhead. The applicant intends to use a turbidity curtain with a flotation collar and a weighted skirt constructed of impervious material that reaches the bottom of the water column during breaching activities to minimize impacts to water quality.

The basins would be excavated so that bottom of the basins would slope away from the bulkhead at 5:2 slopes from -4.0 feet MLT to the proposed -6.0 MLT. The same slope and depth would apply to all created waters of the United States. The water depth in the existing harbor is -8.0 feet MLT. The applicant has stated that the excavated material will be removed from the site by a third party and placed entirely in off-site uplands. Situated around the basins would be approximately 50 buildings that would accommodate a total of 250 condominium units. The storm-water drainage system for the condominium buildings would be similar to the existing subdivision's system, and would be routed into the existing Island Moorings Harbor basin.

In one basin, labeled "Channel A" in the attached project plans, the applicant proposes to construct 61 boat slips. The boat slips would consist of 4-foot wide walkways in L-shaped configurations. A typical boat slip walkway would have a 4- by 14-foot section adjacent to and parallel with the proposed bulkhead, and a 4- by 35-foot section perpendicular to the proposed bulkhead. The L-shaped walkways would be spaced 28 feet apart and would have two pilings 14 feet from the walkway edges so they form two boat slips (see sheet 5 of 10). Within the basin labeled "Channel A", the applicant proposes to construct four angular wooden decks that would be adjacent to the proposed bulkhead and would be of varying sizes and shapes. The largest of wooden decks would have a trapezoidal configuration that covers 2,212 square feet with average dimensions of 35 by 63 feet. Refer to the project plans for proposed dimensions of the remaining three decks.

In the other basin, labeled "Channel B" in the attached project plans, the applicant proposes to construct 80 boat slips. The boat slips would be constructed with the same configuration and dimensions as those in "Channel A" described above. Within the basin labeled "Channel B", the applicant proposes to construct one trapezoidal wooden deck. The base of the trapezoid would be adjacent to the proposed bulkhead and measure 81.4 feet; the non-parallel sides would measure 38.9 feet; and the most waterward edge of the deck would measure 47.6 feet. The entire structure would cover 2,258 square feet.

Additionally, the applicant proposes to construct 226 boat slips in the existing wide canal. The proposed boat slips in the existing harbor would be entirely within the property boundary and would not extend beyond 280 feet from the existing bulkhead into the harbor. Within the existing harbor, the applicant proposes to construct 51 boat slips adjacent to the existing harbor's bulkhead, and three major walkway "trunks" extending from the existing bulkhead to three or four "branch" walkways. The trunk and branch walkways would be 8 feet wide. Attached to the branches would be 4-foot-wide walkways of varied lengths that range from 25 to 35 feet long, spaced 38 feet apart with pilings between them so they form boat slips. The navigable fairway between rows of boat slips would be either 35 feet wide or 50 feet wide. In addition to the boat slips, the applicant proposes to construct five angular wooden decks of varying dimensions; all of which are represented in the project plans. The applicant's plans are enclosed in 10 sheets.

NOTES: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

OTHER AGENCY AUTHORIZATIONS: Texas Coastal Zone consistency certification is required. The applicant has stated that the project is consistent with the Texas Coastal Management Program goals and policies and will be conducted in a manner consistent with said Program.

STATE WATER QUALITY CERTIFICATION: No water quality certification is required.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

A historic properties investigation is being conducted within the proposed permit area in order to determine if any sites are present on the property or eligible for listing on the National Register of Historic Places.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or Federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-330, the Regulatory Programs of the Corps of Engineers, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues are substantial and should be considered in the permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before **20 December 2004**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections.** Comments and requests for additional information should be submitted to:

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